



2013 SENATE BILL 344

1 **AN ACT** *to amend* 709.03 (form) C. 8. and 709.033 (form) C. 9.; and *to create*
2 709.03 (form) C. 9m. and 709.033 (form) C. 9m. of the statutes; **relating to:**
3 disclosing ownership of a dam to prospective buyers of certain real property and
4 updating disclosure reports for certain real property.

Analysis by the Legislative Reference Bureau

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

5 **SECTION 1.** 709.03 (form) C. 8. of the statutes is amended to read:
6 **709.03** (form)

SENATE BILL 344

1 C. 8. I am aware of underground or aboveground
 2 fuel storage tanks on the property. (If “yes”,
 3 “yes,” the owner, by law, may have to register
 4 the tanks with the department Wisconsin
 5 Department of safety Agriculture, Trade and
 6 professional services Consumer Protection at
 7 P.O. Box 7970 8911, Madison, Wisconsin,
 8 53707 53708, whether the tanks are in use or
 9 not. Regulations of the department Wiscon-
 10 sin Department of safety Agriculture, Trade
 11 and professional services Consumer Protec-
 12 tion may require the closure or removal of
 13 unused tanks.

14 SECTION 2. 709.03 (form) C. 9m. of the statutes is created to read:

15 709.03 (form)

16 C. 9m. I am aware that a dam is totally or partially
 17 located on the property or that an ownership
 18 in a dam that is not located on the property
 19 will be transferred with the property because
 20 it is owned collectively by members of a home-
 21 owners association, lake district, or similar
 22 group. (If “yes,” contact the Wisconsin
 23 Department of Natural Resources to find out
 24 if dam transfer requirements or agency
 25 orders apply.)

SENATE BILL 344

1 **SECTION 3.** 709.033 (form) C. 9. of the statutes is amended to read:

2 **709.033** (form)

3 C. 8. I am aware of underground storage tanks pres-

4 ently or previously on the property for storage

5 of flammable or combustible liquids, includ-

6 ing, but not limited to, gasoline or heating oil.

7 (If “yes”, “yes,” the owner, by law, may have to

8 register the tanks with the Wisconsin Depart-

9 ment of ~~Safety~~ Agriculture, Trade and Profes-

10 ~~Services~~ Consumer Protection at P.O.

11 Box ~~7970~~ 8911, Madison, Wisconsin, ~~53707~~

12 53708, whether the tanks are in use or not.

13 Regulations of the Wisconsin Department of

14 ~~Safety~~ Agriculture, Trade and Professional

15 ~~Services~~ Consumer Protection may require

16 the closure or removal of unused tanks.

17 **SECTION 4.** 709.033 (form) C. 9m. of the statutes is created to read:

18 **709.033** (form)

SENATE BILL 344

1 C. 9m. I am aware that a dam is totally or partially
2 located on the property or that an ownership
3 interest in a dam not located on the property
4 will be transferred with the property because
5 it is owned collectively by members of a home-
6 owners association, lake district, or similar
7 group. (If “yes,” contact the Wisconsin
8 Department of Natural Resources to find out
9 if dam transfer requirements or agency
10 orders apply.)

SECTION 5. Nonstatutory provisions.

12 (1) REAL ESTATE CONDITION AND VACANT LAND DISCLOSURE REPORTS.

13 Notwithstanding section 709.035 of the statutes, the creation of sections 709.03
14 (form) C. 9m. and 709.033 (form) C. 9m. of the statutes does not require a property
15 owner who has furnished to a prospective buyer of the property an original or
16 amended report before the effective date of this subsection to submit an amended
17 report with respect to the information required by section 709.03 (form) C. 9m. of the
18 statutes, as created by this act, or by section 709.033 (form) C. 9m. of the statutes,
19 as created by this act.

SECTION 6. Initial applicability.

21 (1) The treatment of sections 709.03 (form) C. 8. and 9m. and 709.033 (form)
22 C. 9. and 9m. of the statutes first applies to reports that are furnished on the effective
23 date of this subsection.

SECTION 7. Effective date.

